



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,702	07/23/2003	Michelle A. Wagner		7050

7590 04/19/2006
George R. Royer
Suite 416
316 N. Michigan Street
Toledo, OH 43624

EXAMINER

BROWN, VERNAL U

ART UNIT PAPER NUMBER

2612

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/624,702	WAGNER, MICHELLE A.	
	Examiner	Art Unit	
	Vernal U. Brown	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to communication filed on January 11, 2006.

Response to Amendment

The examiner has acknowledged the amended claims 1, 2, 3, 4, and 5.

Response to Arguments

Applicant's arguments filed 1/11/2006 have been fully considered but they are not persuasive.

Regarding applicant's argument regarding displaying coordination, the claims does not include any limitations about displaying coordination. The claims only claim walking maneuvers.

Applicant's argument regarding the references of Saur, Sieg, and Iwasa is moot in view of new ground of rejection.

Claim Objections

Claims 1-5 are objected to because of the following informalities: Claims 1-5 have numerous misspellings. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Dunsworth US patent 4522861.

Art Unit: 2612

Regarding claims 1-3, Dunsworth teaches a portable mat member for walking maneuvers over the upper surface having means thereon for the walking maneuvers thereon, comprising: (a) a longitudinally extending mat member having an upper surface (18) and a lower surface (24), said mat member having a first lateral edge and a second lateral edge, said mat member having a first end edge and a second end edge (figure 1); (b) a longitudinally extending marking member (28) extending from said first end edge to said second end edge (figure 1), said marking member being for walking maneuvers over the upper surface of said mat member (col. 2 lines 13-21), said marking member extending above the upper surface of the mat member (figure 1). Dunsworth also teaches the use of a luminous coating over the walkway (col. 2 lines 13-17).

Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunsworth US patent 4522861 and further in view of Hagy et al. US Patent 3894437.

Regarding claims 4-5, Dunsworth teaches a portable mat member for walking maneuvers over the upper surface having means thereon for the walking maneuvers thereon, comprising: (a) a longitudinally extending mat member having an upper surface (18) and a lower surface (24), said mat member having a first lateral edge and a second lateral edge, said mat member having a first end edge and a second end edge (figure 1); (b) a longitudinally extending marking member (28) extending from said first end edge to said second end edge (figure 1), said marking member being for walking maneuvers over the upper surface of said mat member (col. 2 lines 13-21), said marking member extending above the upper surface of the mat member (figure 1).

Art Unit: 2612

Dunsworth also teaches the use of a luminous coating over the walkway (col. 2 lines 13-17).

Dunsworth is silent on teaching electromechanical pressure sensor means comprising a series of upright resilient spring members located under the longitudinally marking means. Hagy et al. in an art related walk path invention teaches the use of spring located under a longitudinally marking and the spring further having mating contact (22) to receive downward contacting movement from the spring (col. 4 lines 48-55). Hagy et al. also teaches activating an electrical circuit when the spring is pressed (col. 4 lines 60-66).

It would have been obvious to one of ordinary skill in the art to have electromechanical sensor under the longitudinally extending member in Dunsworth because the electromechanical pressure sensor provides the means of sensing the walking maneuvers for further analysis.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U. Brown whose telephone number is 571-272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 571-272-7308. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2612

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Vernal Brown
April 12, 2006



WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2500